U.S. Department of Homeland Security

REPORT OF INVESTIGATION

Title Alien Smuggling	File Number Event No: [redacted] [redacted]	Date 01/13/2008 Report Number [redacted]
Special Agent: (Name) MIGUEL LOZA SENIOR PATROL AGENT	(Signature)	Office SDC/ECJ
Approved by: (Name and Title) HUMBERTO GUERRA SUPERVISORY BORDER PATROL AGENT	(Signature)	Office SDC/ECJ

SYNOPSIS
ALIEN SMUGGLING CASE

PRINCIPAL ORGANIZATION ______

NAME Mathew Will Charles KENNEDY A# [redacted] D/POB 06/09/1972 LA MESA, CALIFORNIA, UNITED STATES

ALIAS ______ RACE W SEX M HT 63 WT 170 EYES GRN HAIR BRO

ADDRESS (US) 3689 BOUNDARY STREET FOREIGN ______

SAN DIEGO CALIFORNIA 92104

IMM STAT U.S. Citizen SS# [redacted] FIN [redacted]

SMUGGLED ALIEN

NAME Juan LOPEZ-SANTIAGO A# ______ D/POB 12/20/1965 OAXACA, MEXICO

ALIAS ______ RACE W SEX M HT 63 WT 160 EYES BRO HAIR BLK

ADDRESS (US) ______ FOREIGN [redacted]

IMM STAT Inadmissable Alien SS# ______ FIN [redacted]

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ALIENS

NUMBER IN LOAD 5 NATIONALITY 5 MEXICO INTENDED DEST Los Angeles, CA

CHARGE PER ALIEN ______ DATE/PLACE OF ENTRY 01/13/2008 Tecate, CA

PLACE OF ARREST Buckman Springs Road north of Oak Drive Campo, CA

DATE OF ARREST 01/13/2008 1724 ARRESTING OFFICER MARIO GOMEZ

VEHICLE(S) USED 1992 FORD TAURUS GRY VIN#: 1FACP5247NG218009 LIC# CA/3BBX242

TOTAL NUMBER OF PRINCIPALS/ASSOCIATES 1 DEPORTABLE/INADMISSABLE 0 NON-DEPORTABLE 1

TOTAL NUMBER OF CONVEYANCES SEIZED 1 ESTIMATED TOTAL VALUE $2,500.00

RECRUITING PROCEDURES-TRAVEL TO BORDER AREA-TO WHOM PAYMENT MADE-STAGING AREAS-MANNER OF ENTRY DROP HOUSES-HOW CHECKPOINTS AVOIDED-ROUTE TO POINT OF ARREST-CONTACTS AT DESTINATION

U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	01/13/2008

SMUGGLED ALIEN
NAME Beatriz FAJARDO-GONZALEZ A# D/POB [illegible] GUERRERO, MEXICO
ALIAS RACE SEX F HT 62 WT 150 EYES BRO HAIR BLN
ADDRESS (US) FOREIGN [redacted]
IMM STAT Inadmissible Alien SS# FIN [redacted]

SMUGGLED ALIEN
NAME David VALDEZ-CABRERA A# D/POB [illegible] SINALOA, MEXICO
ALIAS RACE SEX M HT 63 WT 190 EYES BRO HAIR BLK
ADDRESS (US) FOREIGN [redacted]
IMM STAT Inadmissible Alien SS# FIN [redacted]

SMUGGLED ALIEN
NAME Aida PERALTA-ADAME A# D/POB [illegible]
ALIAS RACE W SEX F HT 54 WT 150 EYES BRO HAIR BRO
ADDRESS (US) FOREIGN [redacted]
IMM STAT Inadmissible Alien SS# FIN [redacted]

SMUGGLED ALIEN
NAME Eva Yolanda CARINO-BERNABE A# [redacted] D/POB [illegible] JALISCO, MEXICO
ALIAS RACE W SEX F HT 63 WT 130 EYES BRO HAIR BLK
ADDRESS (US) FOREIGN [redacted]
IMM STAT Inadmissible Alien SS# FIN [redacted]

Narrative: Report of Investigation

On Janu ry 13,2008, Border Patrol Agent Mario Gomez was patroling the International Border boundery between tha United States and Mexico near Campo,California. Campo is approximately ten miles east and one mila north of the Tecate, California Port of Entry. This area is commonly used for the smuggling of illegal aliens into the United States. At approximately 5:00 PM, Border Patrol Agent Jessie Guarino advised that he observed a group of people loading into the backseat and trunk of a grey vehicle traveling eastbound on Highway 94.

At approximately 5:05 PM, agent Gomez was traveling westbound on Highway 94 when he observed ...(CONTINUED ON NEXT PAGE)

Signature	Title
MIGUEL LOZA	SENIOR PATROL AGENT

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U.S. Department of Homeland Security

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Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	01/13/2008

a grey vehicle matching the given description traveling eastbound on HWY 94. Agent Gomez observed a single driver talking on the phone, the vehicle appeared to be heavily laden. Agent Gomez made a U-turn and proceeded to investigate further.

Agent Gomez activated his emergency lights and siren on his service vehicle in an attempt to conduct a vehicle stop on the vehicle. The driver of the vehicle, later identified as KENNEDY, Matthew Will Charles immediately pulled the vehicle over to the shoulder of the road approximately quarter of a mile north of Oak Drive on Buckman Springs Road.

Agent Gomez approached the vehicle on the driver's side. Agent Gomez observed 4 individuals crouching on the floorboard of the vehicle. Agent Gomez identified himself as a Border Patrol Agent and began to question all the occupants as to their citizenship. The male driver admitted to being a United States citizen and national. The rest of the passengers inside of the vehicle admitted to being citizens and nationals of Mexico illegally present in the United States. The driver advised that there was another person hidden in the trunk of the vehicle. The subject in the trunk also admitted to being a citizen and national of Mexico illegally present in the United States. Agent Gomez took the driver and the five subjects into custody and they were transported to the Tecate, California Processing Center.

At the Processing Center a set of each of the subjects fingerprints were entered into the Department of Homeland Security Biometrics Identification Systems. Records checks revealed [redacted] for KENNEDY. The records revealed the following:

Possession of controlled substance, control substance paraphernalia and theft of utility services. Search with verification [redacted] was performed to confirm the record checks. KENNEDY was booked under [redacted]

The vehicle used in the furtherance of the crime was seized by the Border Patrol.

Prosecution for 8 USC 1324 was declined, as it does not meet established guidelines

KENNEDY was released from the El Cajon Station.

Signature	Title
MIGUEL LOZA	SENIOR PATROL AGENT

Form I-831 Continuation Page (Rev. 08/01/07)

U.S. Department of Homeland Security

REPORT OF INVESTIGATION

Title Alien Smuggling re KENNEDY, Matthew/ Prosecution declined	File Number Event No: [redacted]	Date 01/27/2008 Report Number [redacted]
Special Agent: *(Name)* ROBERT PLATEL JR BORDER PATROL AGENT	*(Signature)*	Office SDC/CAO
Approved by: *(Name and Title)* WAYNE A. SOMMERS SUPERVISORY BORDER PATROL AGENT	*(Signature)*	Office SDC/CAO

SYNOPSIS
ALIEN SMUGGLING CASE

PRINCIPAL ORGANIZATION ____

NAME Matthew Will Charles KENNEDY A# [redacted] D/POB [illegible] LA MESA, CALIFORNIA, UNITED STATES

ALIAS ____ RACE W SEX M HT 73 WT 160 EYES HAZ HAIR BRO

ADDRESS (US) 3689 BOUNDARY STREET FOREIGN ____

SAN DIEGO, CALIFORNIA 92104

IMM STAT U.S. Citizen SS# [redacted] FIN [redacted]

SMUGGLED ALIEN

NAME Manual BORGARIN-Rodrerez A# ____ D/POB [illegible] TEPI, NAYARIT, MEXICO

ALIAS ____ RACE ____ SEX M HT 74 WT 160 EYES BRO HAIR BLK

ADDRESS (US) ____ FOREIGN [redacted]

IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

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ALIENS

NUMBER IN LOAD 5 NATIONALITY 5 MEXICO INTENDED DEST National City, California

CHARGE PER ALIEN Avg. $2,000.00 DATE/PLACE OF ENTRY 01/27/2008 Tecate, California

PLACE OF ARREST Buckman Springs Road at the 8mm Campo, CA

DATE OF ARREST 01/27/2008 1800 ARRESTING OFFICER ROBERT PLATEL JR

VEHICLE(S) USED 1995 PONTIAC GRAND PRIX GRN VIN#: 1G2WJ12M7SF275544 LIC# CA/5TXR154

TOTAL NUMBER OF PRINCIPALS/ASSOCIATES 1 DEPORTABLE/INADMISSABLE 0 NON-DEPORTABLE 1

TOTAL NUMBER OF CONVEYANCES SEIZED 1 ESTIMATED TOTAL VALUE $3,135.00

RECRUITING PROCEDURES-TRAVEL TO BORDER AREA-TO WHOM PAYMENT MADE-STAGING AREAS-MANNER OF ENTRY DROP HOUSES-HOW CHECKPOINTS AVOIDED-ROUTE TO POINT OF ARREST-CONTACTS AT DESTINATION

U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	01/27/2008

SMUGGLED ALIEN
NAME Marco GAMEZ-Carbillo A# [redacted] D/POB [illegible] COAHUILA, MEXICO
ALIAS ____ RACE W SEX M HT 68 WT 165 EYES BRO HAIR BLK
ADDRESS (US) ____ FOREIGN [redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Alfredo SALAS-Renteria A# [redacted] D/POB [illegible] AMATLAN DE CANAS, NAYARIT, MEXICO
ALIAS ____ RACE W SEX M HT 68 WT 165 EYES BRO HAIR BLK
ADDRESS (US) ____ FOREIGN [redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Luis ESPINOSO-Muro A# ____ D/POB [illegible] AMATLAN DE CANAS, NAYARIT, MEXICO
ALIAS ____ RACE ____ SEX M HT 74 WT 175 EYES BRO HAIR BLK
ADDRESS (US) ____ FOREIGN [redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Pedro SANCHEZ-Rentaria A# ____ D/POB [illegible] MONTAN, NAYARIT, MEXICO
ALIAS ____ RACE ____ SEX M HT 70 WT 180 EYES BRO HAIR BLK
ADDRESS (US) ____ FOREIGN [redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

Narrative: Report of Investigation

On January 27, 2008, Border Patrol Agent Mike Flanders and I were assigned to work in the Campo Border Patrol?s area of operation. On this day Agent Flanders and I were driving a marked Border Patrol vehicle and wearing the normal rough duty uniform. Highway 94 and Buckman Springs Road are commonly used by both human and narcotic smugglers. Highway 94 is a major road that parallels much of the international border in the Campo, El Cajon, and Brown Field Border Patrol areas of operation. Buckman Springs Road is one of a few north/south roads leading away from the border and Highway 94 in the Campo area.

...(CONTINUED ON NEXT PAGE)

Signature	Title
ROBERT PLATEL JR	BORDER PATROL AGENT

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Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	01/27/2008

At approximately 1740 hrs, a green Pontiac passed by Agent Flanders and me at the intersection of Highway 94 and Buckman Springs Road. The vehicle license was Ca. 5TXR154. The vehicle went north on Buckman Springs Road. The rear of the vehicle appeared to be carrying a large amount of weight but there was only one visible occupant inside. Due to the close proximity to the border and the position of the rear suspension, Agent Flanders and I decided to follow the vehicle. Agent Flanders attempted to run the vehicle?s license plate through Border Patrol dispatch. At the time the dispatcher was only able to tell us that the vehicle was not reported stolen and was unable to give us any other information. The computer system for registration checks was unavailable. Agent Flanders and I continued to follow the vehicle. The driver, later to be identified as KENNEDY, Matthew, was swerving from one side of the lane to the other. I was able to see KENNEDY looking in the rear view mirror watching us and not paying attention to the oncoming traffic. After seeing KENNEDY almost hit several vehicles I informed dispatch that Agent Flanders and I were going to perform a vehicle stop on the vehicle. The vehicle yielded at the entrance to the Mountain Empire High School.

I approached the driver side of the vehicle. I could see several blankets thrown in the rear seat attempting to conceal something and a piece of carpet and a jacket apparently concealing something in the front seat. KENNEDY had already turned the vehicle off, dropped the keys on the floor board, and had his hands risen in the air. I identified myself to KENNEDY as a Border Patrol Agent and asked KENNEDY where he was coming from. KENNEDY stated "Potrero; they told me to pick these people up in Potrero." As I looked closer I could see a pair of shoes under the carpet in the front seat. Due to prior experiences with human smugglers, I had KENNEDY exit the vehicle so that he could not escape with the vehicle.

Agent Flanders identified himself and attempted to talk to the person sitting in the front seat. The person would not come out from under the carpet. Agent Flanders then had to open the door and remove the carpet. The man then came out from hiding. Agent Flanders questioned the man as to his citizenship. The man stated that he is from Mexico. Agent Flanders then asked the man for immigration documents. The man told Agent Flanders that he did not have any. At this point I placed KENNEDY under arrest for alien smuggling and Agent Flanders arrested the front passenger for being in the United States without inspection. Agent Flanders then searched the vehicle. Two men were found hiding behind the front seats and two men were found hiding in the trunk. When questioned each of the four men also admitted to being in the United States illegally. Agent Flanders and I then transported the vehicle and all six subjects to the Campo Station for processing.

Agent Flanders questioned each of the five illegal immigrants. The men crossed the international border with a larger group through a train tunnel. They then walked north with an unknown guide for approximately 1/2 hour. They then waited until KENNEDY arrived with the vehicle. They told us that the first time that KENNEDY showed up he was only able to take part of the group. They had to wait several more hours until KENNEDY came back. When KENNEDY arrived for the second time, the foot guide told them how to get into the car and then returned back south.

Agent Flanders read KENNEDY his Miranda Rights using the issued I-214 card. This was done at 1810 hrs and I was the witness. KENNEDY stated that he understood his rights and that he was willing to answer any questions. Unable to talk to KENNEDY at that time, KENNEDY was placed in a holding cell. At approximately 1945 hrs, I retrieved KENNEDY from the cell and began to question him. KENNEDY now told me that he wished to speak to a lawyer before answering any of my questions. All questioning regarding the case was ceased.

...(CONTINUED ON NEXT PAGE)

Signature	Title
ROBERT PLATEL JR	BORDER PATROL AGENT

U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	01/27/2008

KENNEDY was charged and booked for 8 USC 1324b (alien smuggling; driver) but due to current prosecution guidelines all charges were dropped. KENNEDY was released. The five men in the vehicle with KENNEDY requested and were granted voluntary returns to Mexico. The vehicle was processed for possible seizure and towed by American Towing.

Vehicle info:
1995 Pontiac Grand Prix
CA 5TXR154
v.i.n. 1G2WJ12M7SF275544

R/O info
Aguilar Auto Sales
2264 Palm Ave A
San Diego, Ca.

ARRESTING AGENTS

MICHAEL FLANDERS

Signature	Title
ROBERT PLATEL JR	BORDER PATROL AGENT

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U.S. Department of Homeland Security

REPORT OF INVESTIGATION

Title	File Number	Date
Zullner's Load Driver	Event No: [redacted]	02/07/2008
		Report Number [redacted]

Special Agent: (Name)	(Signature)	Office
JOSE J. VASQUEZ SENIOR PATROL AGENT		SDC/ECJ
Approved by: (Name and Title)	(Signature)	**Office**
WILLIAM RADCLIFF SUPERVISORY BORDER PATROL AGENT		SDC/ECJ

SYNOPSIS
ALIEN SMUGGLING CASE

PRINCIPAL ORGANIZATION

NAME Matthew Will Charles KENNEDY A# [redacted] D/POB 06/[illegible]/1972 LA MESA, CALIFORNIA, UNITED STATES

ALIAS RACE W SEX M HT 71 WT 170 EYES GRN HAIR BRO

ADDRESS (US) [redacted] FOREIGN

IMM STAT U.S. Citizen SS# [redacted] FIN [redacted]

☒ Continued on attached continuation page

ALIENS

NUMBER IN LOAD 0 NATIONALITY INTENDED DEST San Diego, California

CHARGE PER ALIEN DATE/PLACE OF ENTRY

PLACE OF ARREST Old 80 mile east of La Posta Road, in Campo, California.

DATE OF ARREST 02/07/2008 0800 ARRESTING OFFICER JOSE J. VASQUEZ

VEHICLE(S) USED 1989 ACURA LEGEND GRY VIN#: JH4KA3266KC005891 LIC# CA/2MOX655

TOTAL NUMBER OF PRINCIPALS/ASSOCIATES 1 DEPORTABLE/INADMISSABLE 0 NON-DEPORTABLE 1

TOTAL NUMBER OF CONVEYANCES SEIZED 1 ESTIMATED TOTAL VALUE $4,500.00

RECRUITING PROCEDURES-TRAVEL TO BORDER AREA-TO WHOM PAYMENT MADE-STAGING AREAS-MANNER OF ENTRY DROP HOUSES-HOW CHECKPOINTS AVOIDED-ROUTE TO POINT OF ARREST-CONTACTS AT DESTINATION

U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	02/07/2008

Narrative: Report of Investigation

On February 05, 2008, at approximately 7:30 a.m., Border Patrol Agents from the El Cajon Station Tactical Intelligence Unit (TACINTEL) were conducting anti-smuggling operations, in Tecate, California. This area is commonly used by alien smugglers to further the egress of undocumented immigrants into the country and avoid apprehension by Border Patrol Agents.

At approximately 7:30 am, Senior Border Patrol Agent Diaz noticed a grey Acura driving westbound on State route 94. Approximately five minutes later Agent Diaz observed the same vehicle, a grey Acura driving very slow eastbound on State Route 94 in a area where is commonly used to pick up illegal aliens to further them north into the United States. Agent Diaz and Senior Border Patrol Agent Vasquez strategically came behind the grey Acura and ran the vehicles plates (2M0X655, VIN# JH4K3266KC005891). The vehicle came back to the release of liability to Aguilar Auto Sales. The driver proceeded northbound to Buckmans Road. When the driver arrived to the intersection of State Rote Old 80 and Buckmans Road the driver turned left onto State Route Old 80 going East Bound. TACINTEL Agents summoned Supervisory Border Patrol Agent Roberto Castillo driving a marked Border Patrol vehicle to conduct an immigration vehicle stop on the target vehicle approximately two miles east of La Posta RD. eastbound State Route Old 80. Agents Diaz, Vasquez and Castillo approached the vehicle and identified themselves as Border Patrol Agents and conducted an immigration interview on the driver. The driver later identified as Matthew Will Charles KENNEDY stated he was a citizen and national of the United States. Agents conducted a field interview and KENNEDY stated that the vehicle was not his. KENNEDY freely admitted that he was knowingly going to pick up illegal aliens on State Route 94 east of Cameron Corners. KENNEDY also stated he was going to be paid $200 per person he smuggled successfully into San Diego, California. KENNEDY was arrested for conspiracy to harbor and transport illegal into the United States and transported to the El Cajon Station for processing.

At the El Cajon Border Patrol Station, KENNEDY was entered into the DHS System. KENNEDY came back positive with A# [redacted] and FBI# [redacted] Kennedy's immigration record revealed prior arrest for alien smuggling.

PRINCIPLE DRIVER STATEMENT: Matthew Will Charles KENNEDY

Matthew Will Charles KENNEDY was read his Miranda rights in the English language by Agent Vasquez as per Service issued I-214 rights card on February 7, 2008 at 9:00 a.m. KENNEDY stated that he understood his rights, was willing to wave his rights and speak with Agent Vasquez without the presence of a lawyer. Senior Patrol Agent DIAZ witnessed this event.

KENNEDY stated that he was contacted by a friend by the name of Jack. Jack offered to pay him if he would smuggle aliens from Tecate, California to San Diego, California. KENNEDY stated that Jack gave him the vehicle he was going to use and instructed him that he was going to pick up individuals in Tecate, Californian. KENNEDY stated he was going to be paid $200 per alien he smuggled into San Diego, California. KENNEDY stated that he did not pick up the aliens because there were too many marked Border Patrol Vehicles in the area and he became afraid.

KENNEDY was released from Service custody as he does not meet current AUSA prosecution guidelines for 8 USC 1324.

The 1989 Acura Legend, CA 2M0X655, VIN# JH4K3266KC005891was seized as per Asset forfeiture Guidelines....(CONTINUED ON NEXT PAGE)

Signature	Title
JOSE J. VASQUEZ	SENIOR PATROL AGENT

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Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	02/07/2008

American Towing CO towed the vehicle from the Tecate, processing Center.

ARRESTING AGENTS

JORGE DIAZ
ROBERT GODREAU

Signature	Title
JOSE J. VASQUEZ	SENIOR PATROL AGENT

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U.S. Department of Homeland Security

REPORT OF INVESTIGATION

Title	File Number	Date
USC Driver Highway 94 ALien Load	Event No: [redacted]	02/14/2008
		Report Number: [redacted]

Special Agent: (Name)	(Signature)	Office
JORGE DIAZ SENIOR PATROL AGENT		SDC/ECJ
Approved by: (Name and Title)	(Signature)	**Office**
STEVEN F. PITTS SUPERVISORY BORDER PATROL AGENT		SDC/ECJ

SYNOPSIS
ALIEN SMUGGLING CASE

PRINCIPAL ORGANIZATION

NAME Matthew Will Charles KENNEDY A# [redacted] D/POB 06/09/1972 LA MESA,CALIFORNIA, UNITED STATES

ALIAS RACE W SEX M HT 71 WT 170 EYES GRN HAIR BRO

ADDRESS (US) [redacted] FOREIGN

IMM STAT U.S. Citizen SS# [redacted] FIN [redacted]

SMUGGLED ALIEN

NAME Enrique CUATE-RAMIREZ A# [redacted] D/POB 12/13/1978 ACAMBARO,GUANAJUATO, MEXICO

ALIAS RACE W SEX M HT 64 WT 140 EYES BRO HAIR BLK

ADDRESS (US) IN DHS CUSTODY FOREIGN [redacted]

IMM STAT Inadmissable Alien SS# FIN [redacted]

☒ Continued on attached continuation page

ALIENS

NUMBER IN LOAD 6 NATIONALITY 6 MEXICO INTENDED DEST Los Angeles, California

CHARGE PER ALIEN Avg. $1,000.00 DATE/PLACE OF ENTRY 02/14/2008 'Zullner's' Campo, CA

PLACE OF ARREST Highway 94 1/2 mile west of Highway 188 Tecate, CA

DATE OF ARREST 02/14/2008 0700 ARRESTING OFFICER JOSE J. VASQUEZ

VEHICLE(S) USED 1996 FORD TAURUS GRN VIN#: 1FALP52U5TA181249 LIC# CA/3PZF108

TOTAL NUMBER OF PRINCIPALS/ASSOCIATES 1 DEPORTABLE/INADMISSABLE 0 NON-DEPORTABLE 1

TOTAL NUMBER OF CONVEYANCES SEIZED 1 ESTIMATED TOTAL VALUE $3,005.00

RECRUITING PROCEDURES-TRAVEL TO BORDER AREA-TO WHOM PAYMENT MADE-STAGING AREAS-MANNER OF ENTRY DROP HOUSES-HOW CHECKPOINTS AVOIDED-ROUTE TO POINT OF ARREST-CONTACTS AT DESTINATION

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U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No:	02/14/2008

SMUGGLED ALIEN
NAME Cruz Manuel ROMAN-BRAVO A# [redacted] D/POB 05/03/1981 CUADALAJARA,JALISCO, MEXICO
ALIAS ____ RACE W SEX M HT 65 WT 140 EYES BRO HAIR BLK
ADDRESS (US) IN DHS CUSTODY FOREIGN [redacted]
IMM STAT ____ SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Francisco RICO-GARCIA ____ D/POB 06/05/1975 CUANAJUATO,CUANAJUATO, MEXICO
ALIAS ____ RACE W SEX M HT 66 WT 160 EYES BRO HAIR BLK
ADDRESS (US) IN DHS CUSTODY FOREIGN [redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Pedro BARRIGA-CHAVEZ A# ____ D/POB 10/23/1987 QUIROGA,MICHOACAN, MEXICO
ALIAS ____ RACE ____ SEX M HT ____ WT ____ EYES BRO HAIR BLK
ADDRESS (US) IN DHS CUSTODY FOREIGN ____
[redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Jose Alfredo BARRIGA-BARRIGA A# ____ D/POB 12/26/1986 QUIROGA,MICHOACAN, MEXICO
ALIAS ____ RACE ____ SEX M HT ____ WT ____ EYES ____ HAIR ____
ADDRESS (US) IN DHS CUSTODY FOREIGN ____
[redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

SMUGGLED ALIEN
NAME Jose Guadalupe RAMIREZ-AGUILAR A# ____ D/POB 11/15/1987 QUIROGA,MICHOACAN, MEXICO
ALIAS ____ RACE ____ SEX M HT ____ WT ____ EYES ____ HAIR ____
ADDRESS (US) IN DHS CUSTODY FOREIGN ____
[redacted]
IMM STAT Inadmissable Alien SS# ____ FIN [redacted]

...(CONTINUED ON NEXT PAGE)

Signature	Title
JORGE DIAZ	SENIOR PATROL AGENT

U.S. Department of Homeland Security **Continuation Page for Form** G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	02/14/2008

Narrative: Report of Investigation

On February 14, 2008, at approximately 6:00 A.M., Senior Border Patrol Agents Jorge Diaz and Jose Vasquez from the El Cajon Station Tactical Intelligence Unit (TACINTEL) were conducting anti-smuggling operations, in Zone 28, near Campo, California.
This area is commonly used by alien smugglers to further the egress of undocumented immigrants into the country and avoid apprehension by Border Patrol Agents.

At approximately 6:50 a.m., Senior Patrol Agent Diaz observed a green Ford sedan (CA# 3PZF108, R/O: Colten Connie G, 10507 Flora Azalea, Santee, CA 92071) go past his position on the westbound lane of Highway 94. Agent Diaz and Agent Vasquez started to follow the vehicle as it continue westbound on Highway 94. Agent Diaz and Agent Vasquez observed that the vehicle appeared to be heavy even though only the driver was visible inside the vehicle. Agent Diaz, believing that the vehicle might have been involved in alien smuggling a activities conducted a vehicle stop on Highway 94 approximately half of a mile west from Highway 188. The green Ford yielded to the shoulder of the road and Agents Diaz and Vasquez approached the vehicle and discovered four subjects attempting to conceal themselves in the back seats. Agents Diaz and Vasquez identified themselves as United States Border Patrol Agents and questioned each subject individually in relation to their citizenship and nationality. The driver, recognized by Agents Diaz and Vasquez as KENNEDY, Matthew Will Charles, a subject that the Agents apprehended on February 07, 2008 and documented as an alien smuggler, stated that he was a citizen of the United States. Upon further investigation, two more subjects were found concealed inside the trunk of the vehicle. All six subjects found concealed within the vehicle, stated that they were citizens and nationals of Mexico, present in the United States without any documents that would allow them to enter or remain legally. All seven subjects including KENNEDY were placed under arrest and transported to the Tecate, California Processing Center for further interviews and processing.

At the Tecate, California Processing Center all subjects were entered into DHS processing systems. The DHS processing systems and further record checks revealed the following identification numbers:

IMMIGRATION:
[redacted]

CRIMINAL:
[redacted]

All six smuggled aliens were interviewed by Agents Diaz and Vasquez. The subjects stated that a relative in the United States made smuggling arrangements with a Tijuana based smuggling organization to be crossed into the United States for $1000. The subjects stated that they were pick-up by an unknown smuggler in Tijuana, Baja California and taken to Tecate, Mexico by bus. In Tecate, Mexico, the subjects stated that the smuggler drove them east of the Tecate, California Port of Entry, where he dropped them off near the U.S./Mexico border.

The subjects stated that on February 14, 2008 at approximately 5:30 a.m. they crossed illegally into the United States by jumping over the International Border Fence. They also stated... (CONTINUED ON NEXT PAGE)

Signature	Title
JORGE DIAZ	SENIOR PATROL AGENT

U.S. Department of Homeland Security | Continuation Page for Form G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	02/14/2008

that they walked to a pre-determined location for approximately one hour. The subjects stated that approximately 20 minutes thereafter a vehicle arrived and that they were loaded into it. The subjects stated that they drove for approximately 15 minutes before they were arrested by the Border Patrol.

PRINCIPLE DRIVER STATEMENT: Matthew Will Charles KENNEDY

Matthew Will Charles KENNEDY was read his Miranda rights in the English language by Agent Vasquez as per Service issued I-214 rights card on February 14, 2008 at 9:00 a.m. KENNEDY stated that he understood his rights, was willing to wave his rights and speak with Agent Vasquez without the presence of a lawyer. Senior Patrol Agent Diaz witnessed this event.

In an interview conducted by Agents Diaz and Vasquez, KENNEDY stated that he has been smuggling for several months. KENNEDY stated that he has been successfull for more than twenty times in the past. He also freely admitted to successfully smuggling twice yesterday February 13, 2008.

KENNEDY stated today he was going to be paid $100 per every alien he successfully transported to San Diego, California. KENNEDY stated that he is always contacted by an unknown male smuggler who calls him and informs him of the location and time of the pick-up. KENNEDY stated that he does not know who this person is, but identified Robert John MILLER ([redacted]) as the person who recruited him. MILLER is a documented smuggler working out of the El Cajon area of responsibility. KENNEDY stated that MILLER has paid him in the past and has moved from the role of alien driver to organizer because he is afraid of getting apprehended. KENNEDY also stated that recently, a lady by the name of Cathy pays and provides him with smuggling vehicles. KENNEDY stated that the exchange of money takes place in various locations in San Diego, California.

The six illegal aliens were found in possession of articles of clothing, bags, money and cell phones. The illegal aliens stated that they brought those items with them when they crossed illegally into the United States. Those items were not declared and presented for inspection, and they were found inside the green Ford Taurus CA# 3PZF108 at the time of seizure. Those items were returned to the illegal aliens upon determination of the case.

All six subjects requested and were granted a voluntary return to Mexico per signed I-826 as none of them had criminal histories that would meet AUSA prosecution guidelines for a mandatory detention.

Criminal prosecution under 8 USC 1324 for Matthew Will Charles KENNEDY was declined as the case did not meet current San Diego Sector prosecution guidelines. KENNEDY was booked into the IDENT system and released from Agency custody.

The vehicle, a green 1996 Ford Taurus VIN# 1FALP52U5TA181249: CA 3PZF108 contained undeclared articles and baggage brought into the U.S. by the aliens and was seized pursuant to 19 USC 1595a (a).

The vehicle, a green 1996 Ford Taurus VIN# 1FALP52U5TA181249: CA 3PZF108 was negative for 29 and showed no crossings within the last 72 hours.

ARRESTING AGENTS
...(CONTINUED ON NEXT PAGE)

Signature	Title
JORGE DIAZ	SENIOR PATROL AGENT

Form I-831 Continuation Page (Rev. 08/01/07)

U.S. Department of Homeland Security — Continuation Page for Form G166F

Alien's Name	File Number	Date
	[redacted] Event No: [redacted]	02/14/2008

JORGE DIAZ

Signature	Title
JORGE DIAZ	SENIOR PATROL AGENT

5 of 5 Pages

REQUESTED BY: BUSH, C ISTOPHER

O F F I C I A L U S E O N L Y

DEPARTMENT OF HOMELAND SECURITY ICE R E P O R T O F I N V E S T I G A T I O N	TECS ACCESS CODE 4 PAGE 1 CASE NUMBER [redacted]

TITLE: RUBALCAVA ASO

CASE STATUS: INTERIM RPT

REPORT DATE	DATE ASSIGNED	PROGRAM CODE	REPORT NO.
022808	012808	YNO	[redacted]

RELATED CASE NUMBERS:

COLLATERAL REQ:

TYPE OF REPORT:
INVESTIGATIVE FINDINGS

TOPIC: DEBRIEF OF ASO LOAD CAR DRIVER MATTHEW KENNEDY ON 2/14/2008

SYNOPSIS:
DSAC/SY Human Trafficking Agents received information from San Diego Sector Special Operations Group (SOG) Border Patrol Agents who had received detailed information regarding the activities of an alien smuggling organization (ASO) operating in the eastern portion of San Diego County in San Diego, California. According to source information, the ASO is referred to as "Rubalcava" by its members.

The El Cajon Border Patrol Station Intelligence Unit and the Campo Border Patrol Station Intelligence Unit developed information from a Source of Information (SOI). The SOI possessed significant information regarding the activities of the "Rubalcava" ASO.

DISTRIBUTION:	
	SIGNATURE: BUSH CHRISTOPHE BORDER PATROL
	APPROVED: MULVEY JOHN P OI GRP SUPERVISOR
	ORIGIN OFFICE: SY SAN YSIDRO, CA - ASA
	TELEPHONE: 619 258 4500 TYPIST: BUSH

O F F I C I A L U S E O N L Y

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	CASE NUMBER [redacted]
REPORT OF INVESTIGATION CONTINUATION	REPORT NUMBER: [redacted]

REPORT OF INVESTIGATION

Custodial Interview of load car driver Matthew Kennedy on 2/14/2008

On February 14, 2008, Senior Special Agent Thomas Mendias and Senior Patrol Agent Christopher Bush responded to the El Cajon Border Patrol Station subsequent to the arrest of Matthew Will Charles Kennedy for alien smuggling by Border Patrol Agents assigned to the El Cajon Border Patrol Station. This arrest is documented in Enforce Event Number [redacted] Kennedy was arrested with six undocumented Mexican nationals in a 1996 Ford Taurus bearing CA-3PZF108 on State Route 94 west of Highway 188 in Tecate, California. Supervisory Border Patrol Agent Steven Pitts notified S/A Mendias and SPA Bush of this arrest at approximately 4:00 P.M. on 2/14/2008. SBPA Pitts informed S/A Mendias and SPA Bush that Kennedy was arrested at 6:00 A.M. on this same date and that all of the undocumented Mexican nationals had subsequently been granted voluntary returns to Mexico prior to his notification.

S/A Mendias and SPA Bush arrived at the El Cajon Border Patrol Station at approximately 5:00 P.M. on 2/14/2008 to conduct the custodial debrief of Kennedy. The following is a synopsis of that interview;

Kennedy stated that he has worked as an alien smuggler for approximately four months. Kennedy stated that he has recruited other drivers into the organization and now makes a share of their profits for loads that are successfully smuggled. Kennedy stated that he was introduced into the business by an acquaintance named John Robert Miller. Miller and Kennedy maintained a friendship based on the mutual use of methamphetamine until October 2007 when Miller introduced him to smuggling. Miller told Kennedy that he made a lot of money moving people for a man named "The Boss". Kennedy was introduced to a woman identified to him only as "Cathy". Cathy was described by Kennedy to be an ex-prostitute, blonde hair with streaks of black, approximately 120 pounds, 5'4", and a frequent user of methamphetamine. Kennedy stated that Cathy is responsible for contacting drivers and arranging for the vehicles used in the smuggling process. Kennedy stated that Cathy is the person who calls him when there is a smuggling load to be moved and that Cathy meets him at a predetermined location with the vehicle to be used. Kennedy stated that he has never met "The Boss" but describes him as having a thick Hispanic accent when he speaks with him via cellular telephone.

Kennedy stated that on 2/14/2008, Cathy met him at the McDonald's restaurant on University Avenue just west of Park Boulevard in the Hillcrest community of San Diego, California. Kennedy stated that he had successfully driven a load of illegal aliens earlier in the day and was on his second run when he was caught by the Border Patrol. Kennedy estimated that he has successfully delivered over thirty smuggling loads.

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Kennedy stated that the smuggling loads are dropped off at the "Burrito King" on Federal Boulevard in San Diego, California immediately after they are picked up in eastern San Diego County. At the Burrito King another driver meets him, pays him, and then leaves with the aliens. Kennedy stated that he has no idea where the aliens go from there but he has heard that the ASO uses at least two different drop houses but he has never been there. Kennedy stated that he doesn't know the identity of the people he leaves the aliens with but that he has been met by a driver in a blue minivan and a driver in a tan Mazda minivan on several occasions. Kennedy described the driver as a heavyset Hispanic male. When it is too dangerous to make the switch at the Burrito King he drops off at Cox Cable in the same vicinity of Burrito King and at the Charter School.

Kennedy stated that the ASO utilizes pickup locations in and around Campo, California from the Mountain Empire Campground on State Route 94 eastbound to Cameron Corners on SR-94 and Buckman Springs Road. The ASO looks for areas along SR-94 that have embankments on both sides of the road. Kennedy stated that the ASO drivers do not pull over onto the shoulder of the road when picking up but rather just stop in the middle of the road to load so as to not stir up a dust cloud. Kennedy stated that "The Boss" coordinates with the drivers and directs them where to stop via cellular telephone. Kennedy believes that "The Boss" maintains observation on the pickup spot and directs the drivers in when there are no enforcement elements in the area. Once the aliens are picked up, "The Boss" directs the driver on which route to take based upon the Border Patrol checkpoint status obtained from conspirators that are scouting the checkpoints. Kennedy stated that the ASO prefers to pickup in the early morning hours from 6:00 A.M. to 9:00 A.M. so that the loads can blend in with morning rush hour. Drivers are instructed to comply with Agents if interdicted at the checkpoint and to not cause problems with them or fail to yield if Agents direct the vehicle into the secondary inspection area.

This investigation continues.

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